

SENATE CHAMBER,

AUSTIN, TEXAS, Thursday, June 9, 1870.

Senate met pursuant to adjournment, President Don. Campbell presiding. Roll called; quorum present.

Absent—Senators Latimer, Parsons, Pickett, Pridgen.

Prayer by the Chaplain.

Senator Mills moved that Senator Latimer be excused.

Senator Bowers moved a call of the House. Call sustained.

Senator Ruby rose to a point of order that a call of the House was not in order. Point of order not sustained.

The names of the absentees being called, Senators Parsons, Pickett and Pridgen answered "present" to their names.

Senator Fountain moved that Senator Latimer be excused.

Senator Bowers moved a call of the House.

Chair ruled the call out of order prior to the reading of the journal.

Senator Douglas rose to a point of order, and insisted that the motion to excuse was not in order. Point of order not sustained.

Senator Ruby moved the reading of the journal be dispensed with. Carried.

Under direction of the President the Secretary carried to the House, for the signature of the Speaker, enrolled Senate Bill No. 161, "An Act to create and provide for the organization of the county of Rains."

The hour having arrived for Special Order, Senate bill No. 26, Senator Fountain moved to postpone it for half an hour.

Message from the House by Chief Clerk.

House bill No. 30, "An Act to authorize the clerks of the Supreme and district courts, and the justices of the peace to issue executions for all costs created by parties in any suit or suits in said courts, and to provide for the collection of the same."

Also, House Bill No. 113, "An Act to provide for the revision of the Public and General Laws of the State of Texas."

The question was put by the Chair upon the motion to suspend the special order. Carried.

Senator Douglas moved to strike from the minutes of yesterday and expunge from the journals the preamble and resolution of Senator Fountain, concerning the eligibility of Senator Latimer to a seat in this body, and all the proceedings had therein.

Message from the House by Chief Clerk, announcing that the Speaker had signed in open session the bill creating the county of Rains, and it was thereupon signed by the President of the Senate.

The hour having arrived for the consideration of the postponed special order, the question before the Senate being Senate Bill No. 26, a bill entitled "An Act to incorporate the Texas Military Institute.

[Senator Pickett called to the Chair.]

Senator Fountain offered the following amendment:

Amend by striking out the word "Governor" wherever it occurs in the bill.

Amendment lost.

Senator Flanagan moved the engrossment of the bill.

The yeas and nays were called for and resulted as follows, yeas 19, nays 9:

Yeas—Baker, Bowers, Broughton, Clark, Cole, Dohoney, Douglas, Evans, Flanagan, Latimer, Mills, Parsons, Pettit, Pickett, Priest, Pridgen, Pyle, Saylor, Shannon—19.

Nays—Alford, Bell, Ford, Fountain, Gaines, Hall, Hertzberg, Rawson, Ruby—9.

Bill passed to engrossment.

Senator Ruby moved that bill be recommitted.

Yeas and nays called for; result as follows:

Yeas—Alford, Bell, Ford, Fountain, Gaines, Hall, Hertzberg, Rawson, Ruby—9.

Nays—Baker, Bowers, Broughton, Clark, Cole, Dohoney, Douglas, Evans, Flanagan, Latimer, Mills, Parsons, Pettit, Pickett, Priest, Pridgen, Saylor, Shannon, Pyle—19.

Motion to recommit lost.

Senator Flanagan moved a suspension of the rules that the bill be put on its third reading.

Yeas and nays called for; result as follows:

Yeas—Baker, Bowers, Broughton, Clark, Cole, Dohoney, Douglas, Evans, Flanagan, Fountain, Latimer, Mills, Parsons, Pettit, Pickett, Priest, Pridgen, Pyle, Saylor, Shannon—20.

Nays—Alford, Bell, Ford, Gaines, Hall, Hertzberg, Rawson, Ruby—8.

So the Senate refused to suspend the rules, four-fifths not voting in the affirmative.

Senator Flanagan moved a suspension of the rules that Senate Bill No. 94 be taken up and made the special order for Monday at 12 M.

Yeas and nays called for; result as follows:

Yeas—Alford, Baker, Bell, Bowers, Broughton, Clark, Cole, Dohoney, Douglas, Evans, Flanagan, Latimer, Mills, Pettit, Pickett, Pridgen, Pyle, Shannon—18.

Nays—Ford, Fountain, Gaines, Hall, Hertzberg, Parsons, Priest, Rawson, Ruby, Saylor—10.

So the Senate refused to suspend the rules, two-thirds not voting in the affirmative.

Senator Ruby moved a suspension of rules to take up Senate bill No. 33, "An Act to provide for the enrollment of the militia, the organization and discipline of the State guards, and for public defense."

Yeas and nays called for. Result as follows:

Yeas—Baker, Bell, Ford, Fountain, Gaines, Hall, Hertzberg, Mills, Parsons, Pettit, Priest, Rawson, Ruby, Saylor—14.

Nays—Alford, Bowers, Broughton, Clark, Cole, Dohoney, Douglas, Evans, Flanagan, Latimer, Pickett, Pridgen, Pyle, Shannon—14.

So the Senate refused to suspend the rules.

Senator Flanagan moved to adjourn.

Yeas and nays called for. Result as follows:

Yeas—Alford, Bowers, Broughton, Clark, Cole, Dohoney, Douglas, Evans, Flanagan, Latimer, Parsons, Pettit, Pickett, Pridgen, Pyle, Shannon—16.

Nays—Baker, Bell, Ford, Fountain, Gaines, Hall, Hertzberg, Mills, Priest, Rawson, Ruby, Saylor—12.

Senate adjourned.